

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

FILED - CLERK
U S DISTRICT COURT
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TX EASTERN-MARSHALL

IAP INTERMODAL, L L C ,

Plaintiff,

v

NORTHWEST AIRLINES CORP
ET AL;

Defendants

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BY _____

Consolidated Civil Action

No 2:04-cv-65-TJW

2:04cv99

CONSENT JUDGMENT FOR DEFENDANTS AMR CORPORATION,
AMERICAN AIRLINES, INC., AMR EAGLE HOLDING CORP.,
AND AMERICAN EAGLE AIRLINES, INC.

1 The Plaintiff, IAP Intermodal, LLC, ("IAP"), filed the present action against AMR Corporation, American Airlines, Inc , AMR Eagle Holding Corp , and American Eagle Airlines, Inc , alleging infringement of U S Patent Nos. 6,240,362, 6,385,537, and 6,411,897 ("Patents at Issue")

The Defendants have appeared in this action and deny infringement of any of the Patents at Issue

2 On September 7, 2005, the Court issued its Memorandum Opinion and Order construing the terms of the Patents at Issue (Dkt # 078 in the consolidated cases) Based upon the construction of the claims and the definition of terms contained in the Court's Memorandum Opinion and Order, the Plaintiff IAP stipulates that the Defendants in this action are not infringing any of the claims of the Patents at Issue The Plaintiff IAP therefore consents to the entry of final judgment of non-infringement

3 Nothing herein shall limit or prevent IAP from exercising any legitimate right it may have to appeal this Judgment The Defendants in this action agree that they will not contest any appeal of

this Judgment on the ground that it was entered into by stipulation, or contend that this stipulation precludes an appeal of this matter in any way

4 Based on the foregoing, the Court hereby enters Final Judgment as follows:

(a) Judgment is entered in favor of the Defendants AMR Corporation, American Airlines, Inc., AMR Eagle Holding Corp., and American Eagle Airlines, Inc., on any and all claims of infringement set forth in Plaintiff's Complaint in this Action;

(b) All counterclaims and defenses asserted by the Defendants in this Action are hereby dismissed without prejudice; and

(c) Each party shall bear its own costs and fees

Signed on October 5, 2005.

T. John Ward
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM AND CONTENT:

Carl R. Roth

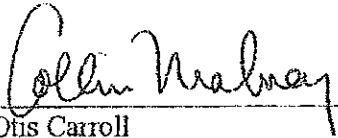
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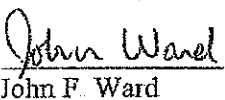
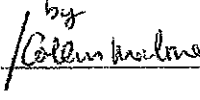
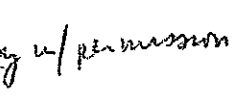
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